



Report to the Plan Commission

September 12, 2012

Legistar I.D. #27476

4800-4950 Voges Road

Preliminary Plat & Certified Survey Map

Report Prepared By:
Timothy M. Parks, Planner
Planning Division

Requested Actions: Approval of a preliminary plat creating 4 lots for future industrial development and an outlot for stormwater management at 4800-4950 Voges Road, and approval of a Certified Survey Map (CSM) creating 3 of the industrial lots and the outlot.

Applicable Regulations & Standards: The subdivision process is outlined in Section 16.23(5) of the Subdivision Regulations.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward the preliminary plat of Voges Road Business Center and related Certified Survey Map to the Common Council with a recommendation of **approval** subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Applicant & Property Owner: St. John Properties, Inc.; 1020 James Drive, Suite G; Hartland; Mark Goetzinger & Greg Fax, representatives.

Surveyor: Christopher Jackson, CJ Engineering; 9205 W. Center Street, Suite 214; Milwaukee.

Proposal: The western of the two parcels that comprise the site will be subdivided into 3 lots for future industrial development as permitted in the existing zoning M1 (Limited Manufacturing District), with an outlot for stormwater management to also be created by the CSM. The parcel east of the City-owned greenway that bisects the overall site will remain undeveloped initially. That property is split-zoned M1 and A (Agriculture District).

Parcel Location: The two parcels are located along the north side of Voges Road east of S. Stoughton Road (US Highway 51) and Dutch Mill Road and total approximately 34.6 acres of land; Aldermanic District 16 (Johnson); Urban Design District 1; Madison Metropolitan School District. The western of the two parcels is located in TID 39 (Stoughton Road).

Existing Conditions: Undeveloped agricultural lands, zoned M1 (Limited Manufacturing District)

Surrounding Land Use and Zoning:

North: Sleep Inn Hotel, multi-tenant office building, and undeveloped commercial and industrial lots in the Tradewinds Business Centre and Genesis subdivisions, zoned M1 (Limited Manufacturing District);

South: Heartland Litho and a fuel tank firm in the Village of McFarland; Temperature Systems, Inc. in the City of Madison, zoned M1;

East: Union Transfer and Storage, Dane County Humane Society and undeveloped lands, and a multi-tenant commercial/ industrial building, all zoned M1; single-family residence and detached accessory buildings, zoned A (Agriculture District);

West: Auto salvage business adjacent to northwestern corner of subject site, zoned M1; Crossroads Church, La Petite Academy, Toby's Supper Club and a variety of businesses located in residential structures, zoned C3 (Highway Commercial District).

Adopted Land Use Plan: The Marsh Road Neighborhood Development Plan recommends both parcels and most of the surrounding area for industrial uses. The City-owned greenway that bisects the site is recommended for park, drainage and open space uses.

Environmental Corridor Status: Portions of the overall property are located within a mapped environmental corridor due to the presence of wetlands on both subject parcels. The wetlands generally parallel the intermittent stream located in the City-owned greenway that generally extends south to north through the overall site. Portions of the northwestern corner of the western subject parcel are also identified on the corridor map for the presence of woodlands (80% or greater canopy).

Public Utilities and Services: The property will be served by a full range of urban services.

Zoning Summary: Existing M1 (Limited Manufacturing District) zoning for western parcel to be subdivided into 3 developable lots and 1 outlot and western portion of the eastern parcel, which will remain in its current configuration and not be developed at this time. The remainder of the eastern parcel is currently zoned A (Agriculture District).

M1 Zoning Requirements		Required	Proposed
Lot Area		6,000 sq. ft.	All proposed lots will exceed
Lot Width		50'	All proposed lots will exceed
Front Yard		N/A	---
Side Yards		N/A	---
Rear Yard		10' (1-story); 30' (2 or more str)	---
Floor Area Ratio		2.0 maximum	To be det. w/ individual bldgs.
Building Height		N/A	---
No. of Auto & Bike Parking Stalls		To be det. w/ individual bldgs.	---
Loading		To be det. w/ individual bldgs.	---
Other Critical Zoning Items			
Yes:	Urban Design, Wetlands, Utility Easements		
No:	Wellhead Protection, Adjacent to Park, Barrier Free, Floodplain		
Prepared by: Pat Anderson, Asst. Zoning Administrator			

Project Review, Analysis & Conclusion

The applicants are requesting approval to subdivide approximately 34.6 acres of land located on the north side of Voges Road immediately east of S. Stoughton Road (US Highway 51) and its frontage road (signed Dutch Mill Road) into lots for future industrial development. The subject site is comprised of two parcels located on either side of a 75-foot wide City-owned greenway that generally extends north-south from Voges Road to an east-west drainage and MMSD sewer interceptor corridor that extends along the rear lines of a number of properties located between Voges Road and the Beltline

Highway further to the north. The western parcel is zoned M1 (Limited Manufacturing District), while the eastern parcel is split-zoned M1 and A (Agriculture District).

Both parcels are undeveloped and are currently used for farming. The property is flat and mostly devoid of topographical features, with the exception of a large area of mature, mostly deciduous tree cover in the northwestern corner of the property. A portion of the center of the site is located in a mapped environmental corridor due to the presence of wetlands on both subject parcels. The wetlands generally parallel the intermittent stream located in the City-owned greenway that cleaves the overall site in two. The woodlands on the western parcel are also identified on the corridor map, but are not located within the mapped corridor.

A preliminary plat has been submitted for the overall property, which calls for the creation of a total of 4 lots for future industrial and heavy commercial development consistent with the predominant form of development present in this area, which includes a number of transportation-related, heavy commercial, and light industrial uses centered on the Beltline between S. Stoughton Road on the west and Interstate 39-90 on the east. The property is adjoined on the north by the Tradewinds Business Centre and Genesis industrial parks, and by the Dane County Humane Society and a predominance of M1 uses located along both sides of Voges Road in the City of Madison and Village of McFarland, though the property immediately to the east of the eastern parcel is developed with a single-family home just off the road.

A Certified Survey Map (CSM) has also been submitted for approval for the 28.5-acre western parcel, which proposes to create 3 of the 4 proposed development lots as well as an outlot for stormwater management. At this time, no development is proposed for the 6.25-acre eastern parcel. The eastern parcel is included on the preliminary plat to satisfy the requirement in Sec. 16.23(5)(g) of the Subdivision Regulations, which stipulates that a CSM (which by statute can create no more than 4 lots or outlots) may be utilized in lieu of a final plat. Unless waived by the Secretary of the Plan Commission, a preliminary plat is required prior to or with the Certified Survey Map for all lands under the control of the applicant or lands in which the applicant has an ownership interest.

Access to the proposed development will be provided by the extension of Galleon Run south to Voges Road from its current terminus on the southern edge of the Tradewinds Business Centre. Lot 1 of the CSM will be a 14.5-acre parcel that will extend along the west side of Galleon Run from Voges Road to a new east-west street that will be dedicated with this subdivision. Lot 2 of the CSM will be a 1.36-acre parcel located north of this new street on the west side of Galleon Run. Lot 3 is proposed as a 6.2-acre parcel located on the east side of Galleon Run opposite the new east-west street and Lot 2. The applicants have indicated in discussions with staff that each of the three proposed lots will be developed with at least one large building, which could be subdivided into multiple tenant spaces intended for occupancy by a variety of industrial and commercial businesses. It is anticipated that multiple buildings will be constructed on Lot 1. The one-story multi-tenant industrial flex buildings will be similar programmatically to a number of other buildings located in the surrounding area.

Staff believes that the proposed development can meet the standards for approval for subdivisions and that it is consistent with the land use recommendations applicable to the subject site and the development pattern present in the surrounding area. The site is located within the limits of the Marsh Road Neighborhood Development Plan, which recommends the subject site for industrial uses. The proposed subdivision generally conforms to the street layout contained in the plan, which calls for Galleon Run to be extended through the subject site to provide a north-south public street to connect Voges Road and Tradewinds Parkway. The addition of the proposed east-west street between

proposed Lots 1 and 2 reflects discussions that the applicants have held with City staff and staff from the Wisconsin Department of Transportation (WisDOT). WisDOT is currently studying the Stoughton Road corridor west of the subject site for potential roadway improvements. As part of that work, WisDOT has begun to develop a number of access alternatives for the area located south of the Beltline Highway primarily on the east side of Stoughton Road, which may affect the subject site in the future. Currently, Dutch Mill intersects Voges Road very close to the Voges Road-S. Stoughton Road intersection. State staff anticipates that this condition will change with the future Stoughton Road improvements being contemplated, which will require that alternative access be provided for the properties to the west of the site.

The preliminary plat also identifies a future right of way reservation for Galleon Run east of the alignment proposed to be constructed initially by the developer. The shift shown on the preliminary plat calls for Galleon Run to be curve east across the City-owned greenway and the eastern parcel comprising the subject site in order to move it further away from the Voges Road-S. Stoughton Road intersection at some time in the future. It is anticipated that if the shift of Galleon Run to the east occurs in the future that the current alignment will be reconstructed to no longer intersect Voges Road.

In the event that the State formalizes the access alternatives its currently developing for the Stoughton Road corridor and schedules implementation of those alternatives, the State will work with the City and affected property owners to acquire the necessary rights of way for the project. Regardless of whether Galleon Run is ever realigned in the future, staff believes that the proposed east-west street to be created with this development will be beneficial for providing additional access for future development of the properties located west of the site.

Finally, the site is located in Urban Design District 1, which extends along both sides of the Beltline between approximately S. Stoughton Road (US Highway 51) on the west and Interstate 39-90 on the east. As a result, development of the lots within the proposed subdivision will require Urban Design Commission approval prior to the issuance of building permits.

Staff Recommendations, Conditions of Approval & General Ordinance Requirements

Major/Non-Standard Conditions are shaded

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission forward the preliminary plat of Voges Road Business Center located at 4800-4950 Voges Road and the related Certified Survey Map creating three lots and one outlot on the western parcel to the Common Council with a recommendation of **approval** subject to input at the public hearing and the following conditions:

1. That the Certified Survey Map (CSM) be revised to clearly identify the proposed setback parallel to the May 2012 delineated wetland. Staff will work with the Capital Area Regional Planning Commission (CARPC) to reflect the contemporary wetland delineation and setback on an amended environmental corridor map as part of the approval of this CSM if required by CARPC. Planning and City Engineering staff will work with the applicant and CARPC to properly show any required wetland setback on the final CSM and environmental corridor map. The amended environmental corridor map shall be approved by CARPC prior to final approval of the CSM for recording.

2. That the CSM be revised to include a vehicular access restriction for Lot 1 along the northern right of way line of Voges Road. The restriction shall be show graphically on the face of the CSM and a note included acknowledging that no vehicular access shall be granted.
3. That the CSM be revised to provide 25-foot corner radii at the two proposed intersections of Galleon Run.
4. That a note be included on the final CSM acknowledging that the site is located in Urban Design District 1, which will require Urban Design Commission approval prior to the issuance of building permits for individual lots.
5. That a tree preservation and management plan be developed for proposed Lots 2 and 3 for approval by the Planning Division Director prior to final approval of the CSM for recording. The tree preservation and management plan shall include an inventory of the trees located within 50 feet of the northern property line and the grading plan for those two lots. The tree preservation and management plan shall identify opportunities for the mature tree cover along the northern 25 feet of those two lots to be preserved during the implementation and build-out of the development. Disturbance within these areas may be limited, and the final location of subdivision utilities may be varied to allow areas of mature tree cover to be avoided. The tree preservation and management area and reference to the approved plan shall be noted on the final CSM.

The following conditions of approval have been submitted by reviewing agencies:

City Engineering Division (Contact Janet Dailey, 261-9688)

6. It is understood that this preliminary plat was submitted for planning purposes only and a final plat will not be submitted for approval and recording. There will be two separate Certified Survey Map applications for approval and recording. The City is currently reviewing the three-lot, one-outlot CSM for lands west of the City of Madison-owned greenway. Further City Engineering comments will be provided at the time the additional CSM application is presented for review and approval for the owner's lands lying easterly of the City-owned greenway.
7. Outlot 1 shall be dedicated to the public for all public purposes, including transportation, sanitary sewer, storm sewer, water and stormwater management. Revise the CSM so that this dedication is clearly stated.
8. The wetlands shown along the drainage ditch that was constructed by the City in 2002 are not jurisdictional and shall not be shown as wetlands on the plat. Furthermore, no setback is required. The applicant has copies of this information from the Wisconsin Department of Natural Resources (WDNR). The wetland boundary shall be revised to remove the City of Madison greenway from the delineated area consistent with WDNR guidance.
9. The lands within this plat are low and flat which will likely require fill materials to provide proper drainage for the proposed lots.
10. The development is subject to both Madison Metropolitan Sewerage District (MMSD) and City of Madison Sewer Area Charges when property develops. The City fee will depend on how property is provided sanitary sewer service.

11. The properties at 4800 and 4950 Voges Road have deferred assessments for water main installed in 1999. Deferred assessments shall be paid in full as a condition of any subdivision approval.
 12. The correct name for the north-south public street is Galleon Run, which shall be reconciled on the final CSM.
 13. Provide suggested street names to Lori Zenchenko (lzenchenko@cityofmadison.com) for review and approval for the public dedication of "Proposed Road". Include the approved street name on the final CSM prior to final approval and recording.
 14. The applicant shall dedicate right of way east of the city owned drainage way with a subsequent CSM or by separate real estate transaction to secure the City's interest for any future public right of way in the event that Galleon Run is relocated in the future.
 15. The CSM currently states "proposed R.O.W." for the additional Voges Road right of way. Revise the final CSM so that it clearly states "Dedicated to the Public" for the additional Voges Road right of way.
 16. A temporary turnaround and easement will be required at the end of the proposed east-west public street north of Lot 1.
17. The developer shall enter into a City/Developer agreement for the installation of public improvements required to serve this plat. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this CSM without the agreement executed by the developer. (MGO 16.23(9)c)
 18. Two weeks prior to recording the CSM, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9 feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer. (per MGO 16.23(9)(d)(2) and 16.23(7)(a)(13))
 19. The developer shall construct Madison standard street improvements for all streets within the CSM.
 20. The developer shall make improvements to Voges Road to facilitate ingress and egress to the CSM.
 21. An erosion control plan and land disturbing activity permit shall be submitted to the City Engineering Division for review and approval prior to grading or any other construction activities. The Pre-construction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
 22. The following notes shall be included on the CSM:
 - a.) All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6 feet in width measured from the property line to the interior of each lot

except that the easements shall be 12 feet in width on the perimeter of the plat. For purposes of 2 or more lots combined for a single development site, or where 2 or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of 6 feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be 12 feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

Note: In the event of a City of Madison Plan Commission and/or Common Council approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

- b.) The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with Madison General Ordinances.

Information to Surveyor's: In addition to notes such as this, Wisconsin State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

- 23. The following note shall be added to the CSM: "All lots created by this Certified Survey Map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to stormwater management, infiltration and oil and grease control at the time they develop."
- 24. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: detain the 2 & 10-year storm events; control 40% TSS (20 micron particle), and; control 80% TSS (5 micron particle). Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.
- 25. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Wisconsin Department of Natural Resources (WDNR). As this site is greater than 1 acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the WDNR, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Please contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.
- 26. A minimum of two working days prior to requesting City Engineering Division signoff on the plat, the applicant shall contact Janet Dailey to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

27. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division signoff, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff.
28. This subdivision contains or is adjacent to facilities of MMSD. Prior to approval, the applicant shall provide evidence that MMSD has reviewed and approved the proposed land division.
29. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat. Note: Land tie to two PLS corners required.

Traffic Engineering Division (Contact Dan McCormick, 267-1969)

30. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
31. The applicant shall execute a declaration of conditions and covenants for streetlights in a form prescribed by the City prior to sign off.
32. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Zoning Administrator (Contact Pat Anderson, 266-5978)

This agency did not submit comments for this request.

Parks Division (Contact Kay Rutledge, 266-4714)

This agency did not submit comments for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit comments for this request.

Fire Department (Contact Bill Sullivan, 261-9658)

33. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances

Water Utility (Contact Dennis Cawley, 261-9243)

34. All public water mains and water service laterals shall be installed by standard City of Madison Subdivision Contract. The Water Utility will not need to sign off on the final plans, but will need a copy of the approved plans.
35. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility in accordance with MGO 13.21.



